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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

This Document Relates to: All Cases

BROOKLYN OFFICE

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Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

MEMORANDUM & ORDER

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**MEMORANDUM & ORDER APPROVING SET 4HBJ¹ OF DECISIONS ON
APPEAL**

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order, in the December 14, 2006 Memorandum & Order, and in the Plan of Allocation and Distribution of Settlement Proceeds, Special Master Helen B. Junz is hereby requesting the Court's approval of the 20 Decisions on Appeal listed in Annex A to this Order. At the direction of the Court, Special Master Junz was not involved in the initial review of the CRT's recommendations in connection with the 20 decisions described herein. Accordingly, the Court determined that it was appropriate for her to review these decisions on appeal and to provide her appellate recommendations to the Court.

Under Article 22(2), the Rules further provide that "[a]n Award may be made of the value of an Account in favor of a Claimant if:

¹ This being the fourth Set of Appeal Decisions submitted to the Court by Special Master Helen B. Junz.

- a) the Claimant has identified a person with precisely the same name as the Account Owner, or the Claimant has accurately identified a person with substantially the similar name as the Account Owner or a credible pseudonym, and where applicable, has provided a plausible explanation for the difference in names; and
- b) the CRT is satisfied that the information provided by the Claimant is consistent with unpublished information in the bank records...”

In 19 of these 20 cases the CRT has determined, and the Special Master has confirmed on appeal, that the Claimant was not able to identify his or her relative as the Account Owner as described in Article 22(2) of the Rules. Accordingly, these appeals are dismissed. In one case, the CRT’s Certified Denial has been reversed as to the non-identity denial, vacated as to other issues and remanded to the CRT for consideration of disposition issues that may result in a possible award of the account in question to the Claimant/Appellant. Therefore, it is hereby

ORDERED that the 20 Decisions on Appeal listed in Annex A are hereby approved and shall be distributed to the relevant Claimants by the CRT.

It is further ordered that the Special Master shall provide the Court with the name and address of every Claimant receiving a Decision on Appeal, which information shall be filed with the Court under seal.

Dated: Brooklyn, New York
September 1, 2008

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge

[Set 4 HBJ] Annex A – UNREDACTED

CONFIDENTIAL

Special Master Helen B. Junz hereby certifies as of September 5, 2008 the following decisions on appeal for approval by the Court:

Appeal Number		Account Owner's Last Name and Claim Number	Original Decision in Batch	Type	Disposition of the Appeal
1.	1172	Stern, Martha 207375/SB; 402057/SB	115	Non Identity Denial	Dismissed
2.	1219	Goldberger 204252/HU	126	Non Identity Denial	Dismissed
3.	1220	Schindler 402179/SB	133	Non Identity Denial	Reversed non-identity denial, vacated as to other issues and remanded
4.	1226	Fischer 783683/RT	133	Non Identity Denial	Dismissed
5.	1232	Weiss 211856/SB; 772595/SB	119	Non Identity Denial	Dismissed
6.	1235	Müller 400473/RT	125	Non Identity Denial	Dismissed
7.	1236	Levy 210417/HU	132	Non Identity Denial	Dismissed
8.	1237	Lederer et al, 402166/MG	119	Non Identity Denial	Dismissed
9.	1240	Schwarz, Sandor et al 004388/MG; 004389/MG; 400836/MG; 402048/MG; 402058/MG	121	Non Identity Denial	Dismissed
10.	1241	Schwartz 402051/MG	120	Non Identity Denial	Dismissed
11.	1242	Schwarz, Riza 402056/MG	120	Non Identity Denial	Dismissed
12.	1243	Falk 003579/HB	126	Non Identity Denial	Dismissed
13.	1249	Weil, Ida 212197/HU	132	Non Identity Denial	Dismissed
14.	1250	Weil, Hermann 212198/HU	132	Non Identity Denial	Dismissed
15.	1252	Bloch 200464/HU	126	Non Identity Denial	Dismissed
16.	1255	Milch 002995/MG	117	Non Identity Denial	Dismissed
17.	1261	Feldmann et al 201954/SU	126	Non Identity Denial	Dismissed
18.	1267	Klein 221783/HB	128	Non Identity Denial	Dismissed
19.	1270	Herbst 402031/HU	132	Non Identity Denial	Dismissed
20.	1275	Berger 400859/MI	133	Non Identity Denial	Dismissed